

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHAEL T. WICKER,)
Plaintiff,)
vs.) No. 4:02cv1803 SNL/TCM
VIRGIL LANSDOWN,¹)
Defendant.)

ORDER

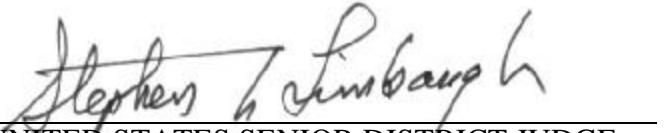
The review and recommendation of United States Magistrate Judge Thomas C. Mummert, III (#8), filed October 27, 2005, is before the Court. Neither party has responded. After review of the file, it appears that the recommendation should be adopted.

Accordingly,

IT IS HEREBY ORDERED that the review and recommendation of United States Magistrate Judge Thomas C. Mummert, III is **SUSTAINED, ADOPTED** and **INCORPORATED** herein.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the 28 U.S.C. § 2254 petition of Michael T. Wicker be **DENIED** without an evidentiary hearing.

Dated this 8th day of November, 2005.



UNITED STATES SENIOR DISTRICT JUDGE

¹Virgil Lansdown is the Superintendent of the Ozark Correctional Center, where Petitioner is currently incarcerated. He is, therefore, substituted as the proper party respondent. See Rule 2(a), Rules Governing Section 2254 Cases.